

Memorandum

To: Planning Commission Members
From: The Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: October 31, 2014
Re: Staff Report for Kroger N842 – Special Use Permit (Drive-thru)

Item #4 – Kroger N842 – Special Use Permit (Drive-thru)

(PID# 201409290054)

Application: Special Use Permit
Location: 5965 Hoover Road
Applicant: Eric Taylor
Zoning: PUD-C
Use: Shopping Center

Relevant Code Section(s):

- 1135.09 (b) (12) Special Use Permits

Project Summary:

The applicant is requesting approval of a special use permit to install a drive-thru pharmacy for the expanded Kroger in the Buckeye Grove Shopping Center. The drive-thru will be one lane off an existing drive aisle in the shopping center. Directional arrows will guide vehicles to the entrance and display that the drive-thru will be one-way. A Do Not Enter / No Left Turn sign will be posted at the exit of the drive-thru to ensure proper traffic circulation in and around the proposed drive-thru. Plans show the capacity to stack four vehicles in the drive-thru without inhibiting the flow of traffic in the main shopping center drive. The drive-thru will be open Monday through Friday from 9am to 9pm, Saturday from 9am to 7pm and Sunday from 10am to 6pm.

Code Analysis:

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

Standard is Met: The proposed drive-thru is consistent with other vehicular-oriented businesses in the shopping center including the Ken's Car Wash, Kroger Fuel gas station, and restaurants and banks with drive-thru facilities.

2. *The proposed use shall not adversely affect the use of adjacent property;*

Standard is Met: The proposed drive-thru will not affect the use of adjacent property. The drive-thru lane will be located entirely on the Buckeye Grove Shopping Center property, with the ability to hold 4 cars for stacking before encroaching into the parking lot drive aisle.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

Standard is Met: The proposed drive-thru will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The site has been designed for safe traffic circulation and drive-thru stacking. The drive-thru is more than 450 feet from the nearest residential district.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

Standard is Met: The proposed facility will be adequately served by police, fire, stormwater, water, sanitary sewer and other services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

Standard is Met: The proposed drive-thru will not impose traffic upon the right-of-way different from other permitted uses in the district.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

Standard is Met: The site is located in a PUD district, in which uses permitted with Special Use Permits are allowed as approved by City Council.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

Standard is Met: The applicant properly submitted a completed application.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit as submitted.